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September 9, 1970

MEMORANDUM FOR PETER FLANIGAN

FROM: Al Haig

DOJ REVIEWED 28-Jan-2010: REFER TO DOS

SUBJECT: Suggested Topics Which Should Be Discussed  
at This Morning's Interdepartmental Meeting  
on Aircraft Security

DOJ REVIEWED 28-Jan-2010: NO OBJECTION TO DECLASSIFICATION

1. CAB and FAA should compile a precise list of security requirements for all interdepartmental carriers in enough detail to indicate the number of security personnel required at each departure location in the United States and abroad.
2. Department of Justice and State personnel should initiate immediately, discussion with commercial carriers to confirm:
  - a. The feasibility and legal and administrative aspects of linking U. S. security personnel to commercial carriers.
3. The Department of Transportation, in coordination with FAA and CAB, Justice and FBI, should be required to prepare on an urgent basis a detail plan for phased implementation which provides for improved screening of passengers and baggage, both in CONUS and abroad, to include scientific and technology devices on the ground and in the air and human screening methods.
4. I would suggest that you have a member of Jim Keogh's staff available to start preparation of a Presidential statement which would encompass the details of the action program which will result from today's meeting and subsequent decisions.

An accompanying detail public relations scenario should be prepared.

5. The Department of Justice, in coordination with State, should do a thorough study of the legality of the action in terms of both constitutional and international law.

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6. The Chief Marshal, Department of Justice and the Department of Defense should combine to prepare a detail recommendation for security manning for the carriers which would include the following:

- a. Availability of U.S. marshals.
- b. Availability of trained U.S. military personnel, to include the resolution of the questions of service of origin, uniform, armaments and command and control.
- c. In conjunction with a and b above, detailed rules of engagement should be developed by a joint State, Defense, Justice, FBI and FAA Task Force which can precisely delineate specific operating instructions for security personnel which should include such questions as:
  - (1) The conduct and demeanor in the performance of duties;
  - (2) Their courses of action in the event of suspected sabotage or actual or suspected air piracy on board the carrier, both on the ground and in the air.

7. A detailed work plan should be developed in the light of the decisions which will ultimately be made on the origin and nature of security personnel which will encompass their overall command and control and coordination.

The following specific questions should be addressed:

- a. Should they be attached administratively to commercial crews and what would be their specific relationship to designated commercial aircraft commanders?
- b. How will communications be provided to such personnel?
- c. Where would the personnel live in between scheduled flights?

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d. What types of compensation will they be provided (military personnel will need per diem arrangements)?

e. What funding arrangements and cross-compensation between the government and carriers should be established?

f. What legal responsibilities will the Federal Government be required to assume under the formula adopted, i. e., should a guard inflict personal or property damage on passengers or carriers, what legal arrangements will have to be worked out?

g. A complete public relations scenario should be prepared.

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